

Serial No. 10/797,438

RECEIVED
CENTRAL FAX CENTER
JUL 16 2007REMARKSI. Introduction

In response to the Office Action dated April 19, 2007, please consider the following remarks. Re-examination and re-consideration of the application, as amended, is requested.

II. The Cited References and the Subject Invention

A. The Eyer Reference

U.S. Patent No. 6,160,545, issued December 12, 2000 to Mark K. Eyer and Zicheng Guo discloses multi-regional interactive program guide for television. Interactive Program Guide (IPG) data for television is delivered to integrated receiver-decoders (IRDs) in a decoder population via, for example, a satellite network. The IPG data provides scheduling information for global and local programming services which are carried via the satellite network as well as another network such as a CATV network or a terrestrial broadcast network. Each IRD is assigned to an IPG region using unit addressing. At the IRD, IPG data is filtered so that only the global data and the region-specific data for the IRD's IPG region is retained and processed by the IRD. Channel map data is also delivered to the IRDs so that bundles of IRD data can be filtered out using firmware filtering to discard program sources that are not present in the channel map. The IRD data which is retained after filtering is used to provide scheduling information via an on-screen display. A preferred source may be designated when there are duplicative channels on the different networks.

B. The Alewine Reference

U.S. Patent No. 6,564,143, issued May 13, 2003 to Neal J. Alewine, James Campbell Colson, David Carl Loose, and Sandeep Singhal discloses a method and apparatus for personalizing static and temporal location based services. A method and apparatus in a vehicle computer system for providing located based services. A path is defined along which the vehicles is to travel. Responsive to receiving a request for a location, the path is used as a filter to identify the location. The position and/or directions of the vehicle also may be used to identify the location.

Serial No. 10/797,438

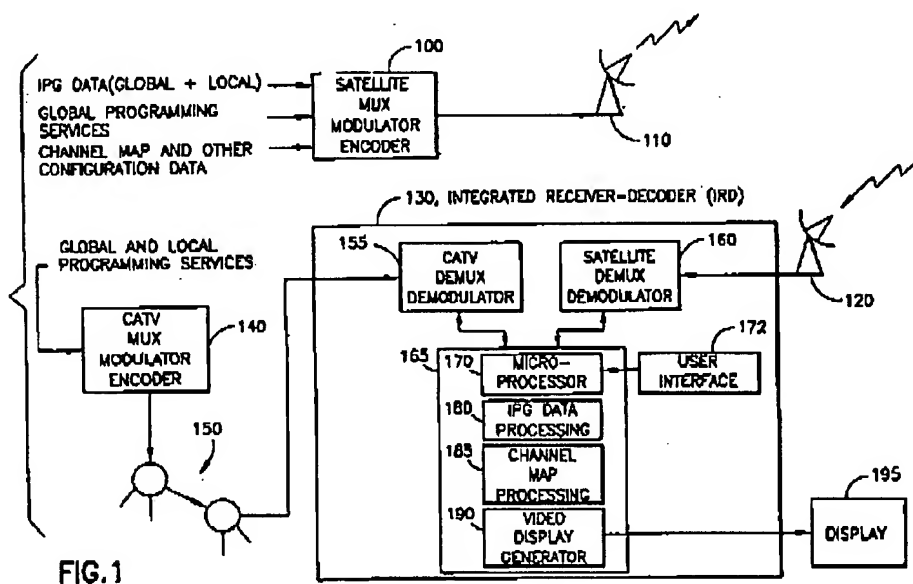
III. Office Action Prior Art Rejections

In paragraph 4, the Office Action rejected claims 39-54 and 57-58 under 35 U.S.C. § 102(e) as unpatentable over Eyer et al., U.S. Patent No. 6,160,545 (Eyer). Applicant respectfully traverses these rejections.

With Respect to Claims 39, 45, 47, and 52: Claim 39 recites:

*A terrestrial repeater, comprising:
 a repeater receiver, disposed in one of a plurality of local broadcast regions within a national broadcast region, the repeater receiver for receiving a signal transmitted by a satellite including national media programs intended for reception in the national broadcast region and regional media programs;
 a processor for filtering the signal to pass only the regional media programs intended for reception in the one of the plurality of local broadcast regions;
 a repeater transmitter, communicatively coupled to the repeater receiver, for transmitting the passed regional media programs intended for reception in the one of the plurality of local broadcast regions.*

The Office Action indicates that a terrestrial repeater with the foregoing features is disclosed by item 130 of FIG. 1 of the Eyer reference, which is reproduced below:



However, item 130 is an integrated receiver/decoder (IRD) analogous to the receiver 110 of the Applicant's invention. The Office Action appears to argue that the IRD is a terrestrial repeater because it "transfer[s] information from other sources". However, claim 39 recites that the terrestrial repeater includes a repeater transmitter, communicatively coupled to the repeater receiver, for transmitting the passed regional media programs intended for reception in the one or the plurality of the local broadcast regions. The IRD 130 shown in FIG. 1 above clearly does not

Serial No. 10/797,438

disclose this a transmitter. The Office Action argues that a transmitter (given a broad interpretation of the claims) is disclosed by item 110. However, item 110, while broadly interpretable as a form of a transmitter, is not part of a repeater (nor is it part of what the Office Action analogizes to a repeater ... the IRD 130).

The Office Action suggests that the foregoing interpretations are proper if the claims are broadly construed. However, while the claims should be broadly construed when determining their patentability, any such construction must be made in light of the specification, and the Applicant's specification is inconsistent with the notion of considering an IRD (or receiver station) as a repeater. The specification, for example indicates that a repeater "serves" a region, and an IRD does not "serve" a region ... it serves a subscriber.

The Office Action's interpretation of the meaning of a "repeater" is also contrary what would be understood by one of ordinary skill in the art at the time the Applicant's invention was made. Federal Standard 1037C defines a "repeater" as follows:

~~repeater: 1. An analog device that amplifies an input signal regardless of its nature, i.e., analog or digital. 2. A digital device that amplifies, reshapes, retimes, or performs a combination of any of these functions on a digital input signal for retransmission. (188) Note: The term "repeater" originated with telegraphy and referred to an electromechanical device used to regenerate telegraph signals. Use of the term has continued in telephony and data communications.~~

~~This HTML version of FS-1037C was last generated on Fri Aug 23 00:22:38 MDT 1996
(see <http://www.its.bldrdoc.gov/fs-1037/fs-1037c.htm>)~~

For all of the foregoing reasons, the Applicants respectfully traverse the rejection of claim 39. Claims 45, 47, and 52 recite features analogous to those of claim 39, and are patentable for the same reasons.

With Respect to Claims 43, 51, and 58: Claim 43 recites:

*The terrestrial repeater of claim 42, wherein:
the signal comprises media programs intended for reception in a second local broadcast region; and
the repetition rate of the regional media programs is selected to utilize a repeater transmission capacity that would otherwise have been used to transmit the regional media programs intended for reception in the second local broadcast region.*

The Office Action suggests this is disclosed in claim 17 of the Eyer reference, which recites

17. The apparatus of claim 14, wherein:
the first IPG identifier is addressed to the first subscriber terminal population

Serial No. 10/797,438

The Applicants do not understand how claim 17 of the Eyer reference disclose the features of claim 43. Claims 51 and 58 are patentable for the same reasons.

In paragraph 6, the Office Action rejected claims 55 and 56 under 35 U.S.C. § 103(a) as unpatentable over Eyer in view of Alewine et al, U.S. Patent No. 6,564,143 (Alewine). Applicant respectfully traverses this rejection. Claims 55 and 56 are patentable for the reasons described above with respect to the independent claims they depend upon.

IV. Dependent Claims

Dependent claims 40-44, 46, 48-51, and 53-58 incorporate the limitations of their related independent claims, and are therefore patentable on this basis. In addition, these claims recite novel elements even more remote from the cited references. Accordingly, the Applicants respectfully request that these claims be allowed as well.

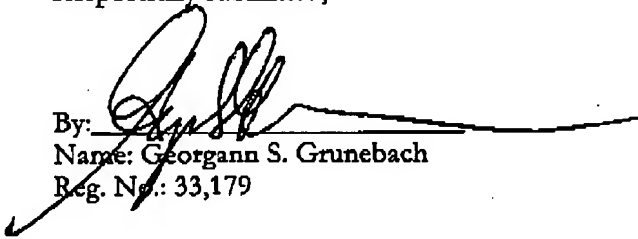
Serial No. 10/797,438

V. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

Date: July 16, 2007

By: 
Name: Georgann S. Grunebach
Reg. No.: 33,179

The DIRECTV Group, Inc.
CA/LA1/A109
2230 E. Imperial Highway
P. O. Box 956
El Segundo CA 90245

Telephone No. (310) 964-4615